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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,765	03/16/2004	David O. Nelson	G11.005	3430
28962 7590 03/17/2008 BUCKLEY, MASCHOFF & TALWALKAR LLC 50 LOCUST AVENUE NEW CANAAN, CT 06840				
EXAMINER				
ST CYR, DANIEL				
ART UNIT		PAPER NUMBER		
2876				
MAIL DATE		DELIVERY MODE		
03/17/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/801,765

**Applicant(s)**

NELSON, DAVID O.

**Examiner**

Daniel St.Cyr

**Art Unit**

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 January 2008.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 and 10-14 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-6 and 10-14 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 3/16/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This in response to the applicant's communication filed 1/30/08.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6 and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barron et al, US Pub. No. 2004/0210531.

Borron et al a system and method for single event authorization control of transactions comprising: financial institutions and businesses for establishing accounts for employees that have an authorization process that augments the normal authorization process, wherein this augmented authorization process can approve transactions that otherwise exceed the transaction limitations established for the accounts; a single event authorization control (SEAC) process is completed in response to determining that a financial services transaction undergoing a conventional authorization process qualifies for the SEAC process, the SEAC data record contains parameter values that most closely match the parameter values associated with the authorization request is selected and the applicable SEAC action contained in the data record (e.g., decline override, funds encumbrance, or budgetary exception) is performed; after completing/creating the SEAC data record, a decision regarding authorization of the transaction is generated (see paragraph 0030+).

Borron et al disclose that keyboard is provided for entering information for creating the SEAC record data, but fail to explicitly teach that the SEAC is a manual authorization. However, the SEAC is functionally equivalent as the claimed manual authorization.

It would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify the teachings of Barron et al to include means for generating manual authorization for authorizing transactions exceeding the predetermined transaction's limits. Such modification would make the system more versatile by providing alternate means for authorizing transactions. Furthermore, the claimed manual authorization fails to provide any unexpected results. therefore, it would have been an obvious extension as taught by Borron et al.

#### ***Response to Arguments***

4. Applicant's arguments filed 1/30/08 have been fully considered but they are not persuasive. (see examiner remarks).

#### **REMARKS:**

In response to the applicant that the prior art fails to disclose creating a manual authorization record to override certain account's restriction, the examiner respectfully disagrees. Barron discloses using a single event authorization control (SEAC) to override failing transaction requests, the SEAC process requires intervention to override the decision, wherein keyboards are used to input the override information. The examiner's position is that modifying the teachings of Barron to include manual authorization would enhance the system by making it more versatile, having alternating means for approving the transactions. Furthermore, manual input

means and keyboard input means in that context are functionally equivalent, they would serve the same purpose. Therefore, it would have been an obvious extension as taught by Barron.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., approval of a second authorization request) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to the applicant's argument that the SEAC process is an automated computerized system, indicating that Barron does not meet the limitation, the examiner respectfully disagrees. While the authorization platform might be automated, once the platform disapproves a customer, such customer is referred to the SEAC process wherein appropriate characteristic information is search to match the customer in order to provide a solution for the customer. With regard to having pre-determined statistic parameter and values, every system that uses criteria for authorizing individuals must have a list of specific characteristics or a range of qualification items to approve/disapprove the individuals. The applicant's arguments are not persuasive. Refer to the rejection above.

**Examiner's Notes:**

5. Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially

teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel St.Cyr whose telephone number is 571-272-2407. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2876

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DS

Wednesday, March 19, 2008

/Daniel St.Cyr/  
Primary Examiner, Art Unit 2876

**Application Number****Application/Control No.**

10/801,765

**Applicant(s)/Patent under  
Reexamination**

NELSON, DAVID O.

**Examiner**

Daniel St.Cyr

**Art Unit**

2876